

A *M*
SPECIMEN

Dr. BURNET's Behaviour

PRIVATE CASES,

REPRESENTED

In his Behaviour

T O

Sir ALEXANDER BRAND,
Of Brandsfield, Knt.

The SECOND EDITION, with further Remarks.



London: Printed by T. WARNER, at the *Black-Boy*
in *Pater-Noster-Row*, and sold by the Bookfellers
of London and Westminster. [Price 6 d.]

vol 4th no 5th



ERRATA.

The following Paragraph which comes in Page 4th, after Line 6.

Dr. *Burnet* introduc'd Mr *Brand*, where he saw the Prince Sup with his Generals ; Where his Royal Highness took out and read a Letter informing him That a Sergeant had, that Night brought over to him a Battalion of *Douglas's* Regiment. This alter'd their Measures, for, as they design'd for *Oxford*, where great Preparations were made for their Reception, the Prince thought Proper, next Morning, to take the Road directly for *London*.

Pag. 20, Line 20, for on, read with.





A
S P E C I M E N
O F
Dr. *BURNET*'s Behaviour, &c.



DO not pretend to Judge if the late Dr. *Burnet*, in the History of his own Time, is an impartial Historian, as free from Party-malice, Family-interests, or is dis-interested when he gives Characters : But shall refer the following Instance of his private Pique, whereby may be determin'd if he was Master of such Temper, as qualify'd him for a candid Author.

At the Revolution, Sir *Alexander Brand*,
a Merchant; was one of the Magistrates,

B

next

next the Chair, and Major of the Militia Regiment of the City of *Edinburgh* : When Sir *Magnus Prince* was Lord Provost, (*i. e.*) Lord Mayor, his Business gave him Access to all the Noble Families. And as he was a firm Protestant of the *Episcopal Communion*, he resolv'd to attach himself to those generous Men, who design'd to assert their Country's Religion, Liberty and Laws against the Evil Counsellors of the late King *James*, by joyning the Prince of *Orange*. He waited on the Duke of *Queensberry*, Lord High Treasurer of *Scotland*, to whom he communicated his Design ; who gave him some Letters to his Son My Lord *Drumlanrig* : As did also the Lord Viscount *Tarbet*, and others to their Friends, who had joyn'd, or were to join the Prince.

In Eight, or Ten Days Mr. *Brand* reach'd *Christ's College* in *Oxford*, he saw My Lord *Drumlanrig*, in Company of the Duke of *Ormond* now alive, and some others. He satisfi'd his Lordship in all Demands, and pleas'd him with his Account of the Posture of Affairs in *Scotland*.

land. Thence he went to *Abbingdon*, where the Prince was expected that Night : There he found *Dr. Burnet*, who ask'd him what he was, which he told him with this Circumstance, to remind him of their former Acquaintance : That some Years before *Mr. Brand* conducted to *York*, *Mrs. Jane* the Daughter of *Sir Alexander Cunningham* of *Robertland*, whose other Daughter *Mrs. Elizabeth* was married to his Brother : That they were met there by *Sir Andrew Forrester*, Secretary to the Duke of *Lauderdale* on a Sundays Morning : At Night the Doctor married them before him and *Mr Deans*, who attended the young Couple next Day to *London* with him.

The Doctor, after he had ask'd some Questions, usher'd the Prince in to the same Room where *Mr. Brand* was. His Royal Highness ask'd him what the distinguished People in *Scotland* thought of his Undertaking : He answer'd, the Inclinations of the People were such, that had they landed at *Burlington*, as was expected, they had been joyn'd, in a few Days, by Thousands of the substantial People

ple from that Kingdom. He demanded where My Lord Chancellour *Pertb* then was, to which Mr. *Brand* reply'd, that the Duke of *Queensberry*, and my Lord *Tarbet*, told him, he was in the *Abbey*, but he had not seen him.

Mr. *Brand* accompany'd the Multitude, among whom were Mr. *Fletcher* of *Salton*, and Mr. *Johnston*, afterwards Secretary of State. Upon the Road, near *Henley*, the Prince was met by the Earl of *Arran*, whose Father the Duke of *Hamilton* still kept with the late King *James* at *London*. It was observ'd by many, that my Lord of *Arran* received very unbecoming Language from the Doctor, unfit to be given to any Gentleman, much less to a Man of his Quality : But Mr. *Burnet* said not a Word, good or bad, to Colonel *Douglass*, who came in a little after.

Next Day, after the Prince arriv'd in *London*, Mr. *Brand* gave the Doctor a Visit at his Lodgings at one *Johnston's* in *Pall-Mall*, he had a great Court about him, where he thinks he saw Mr. *Johnston*,

flon, afterwards Secretary ; but is certain Sir *Andrew Forrester* was there. The Doctor, in a furious Passion, told him ; *Sir, Had I known your Business from Edinburgh to the Prince, you should not have been introduc'd by me. Mr. Brand had Reason to be surpriz'd at this manner of Reception, and bid him, since he used him so, before Gentlemen, explain himself before them. What, says the Doctor, Pray had not you Letters from the Duke of Queensberry to his Son at Oxford ? Sir, reply'd Mr. Brand, I cannot see your Concern if I had, or had not, and think myself at Liberty to carry Messages from any of the Noblemen, who are as well affected to the Prince as you can pretend to be. How ! says the Doctor, we will see to that ; and be you assured that I shall never interest myself in any of your Concerns. Sir, answer'd Mr. Brand, as this is not Usage to a Gentleman, I did not expect it from a Clergyman ; nor shall I value my Fortune on you. ---- This Conversation is literally true, Mr. Brand solemnly declares.*

Mr.

Mr. *Brand* had afterwards an opportunity to serve the Duke of *Queensberry*, in the Person of his Friend. For, when the Castle of *Edinburgh* was held out by the Duke of *Gordon*, then Governour: General *Mackay* (a prodigious *Presbyterian*) much in the Doctor's favour, wrote to the Convention of the *Estates*, imputing to the Lord Viscount *Tarbet*, afterwards Earl of *Cromarty*, the dangers his Army was in, upon his March to reduce the North of *Scotland*. On Receipt of this Letter, the Council resolv'd to imprison My Lord *Tarbet*, who was of the *Episcopal Church*. Mr. *Brand* went to his Lordship's House at *Boyston*, three Miles from the City and appris'd him of it: His Lordship was actually taken into Custody, that very Day, and confin'd in the House of one *Blair*, above where the General Assembly din'd.

An Express was sent that Night to *London* to King *William*, from the Council, who would not allow my Lord *Tarbet* to send a Letter by it to the King, in his own Defence. Next Day, being
Sunday

Sunday, Mr. Brand was call'd out of the Church from his Family, by Mr. John Ross of Nook, Member of Parliament, and carried to my Lord Tarbet, who receiv'd him with the Expression: My dear Friend, it is in your Power to retrieve me out of the Hands of a Sett of Men, who resolve my Ruin; if you'll be so good as carry this Letter (which he read) and give it to my Cousin the Earl of Melvill, Secretary of State, he will deliver it to the King. Mr. Ross, by my Lord's Order, had Horses at the Potter-Row-Port, with which Mr. Brand rode to Haddington, where he took Post. Not having a Pass, was carried before the Governor of Berwick, where Montgomery of Skelmerly was brought, upon his Journey down: He was clear'd by the Governor. He made such Haste, as to deliver the Earl of Melvill my Lord Tarbet's Letter, at his House in Liecester-Fields, two Hours before the Council's Express arriv'd. This is known to Dr. Dickson, now alive, who was with my Lord Melvill at the Time.

The result of this Diligence was, that my Lord Tarbet, in two Days, had his liberation

liberation sent him, and a Permission to go over to *Fife*, for a few Days : Where, to Screen himself from the biggoted Populace, he was oblig'd to put on a Disguise, and ride before a Portmanteau, as Servant to one *Duncan Macarter*, thus he cross'd the Queens Ferry and came to *London*, by bye Ways, for he durst not go near the great Road.

When he came to *London*, Mr. *Brand* was sent for, who found him at *Barn-Elms*, at fishing with some Ladies, who did not know him. Mr. *Brand* went thence to the Duke of *Queensberry*, who order'd him to appoint my Lord to meet him at a House at *Black-Lyon-Stairs* ; where he went with the Duke, who carried my Lord *Tarbet* and him by Water to *Whitehall*, and plac'd them in the Long Gallery. In a little Time, the Duke came attending the King, who, as he pass'd by to the Council, said, *Tarbet* follow me ; where he was made One in the Commission of Lord Clerk-Register.

As

As Mr. *Brand's* manner was always Candid, the late Duke of *Hamilton* had such a Friendship for him as to make him his Deputy in the Admiralty of *Orkney* and *Schetland*, in this Situation, he expected Bishop *Burnet* was reconciled to him; but, to the contrary, he rather chose to espouse the Interest of one Mr. *Elphinston* of *Lapness*, a very great Bigot, who by his Acquaintance with the Doctor, in *Holland*, had procured a Tack of the Crown Lands in *Orkney* and *Schetland*, 1000*l. Sterling per Annum* cheaper than what Mr. *Brand* afterwards gave for it. And endeavoured to keep Mr. *Elphinston* in as Judge of these Countries at 200*l. Sterling per Annum* Salary, altho' the Lords of the Treasury wrote to the Master of *Stair* in Favour of Mr. *Brand*, part of the Letter which regards him I shall insert.



Edinburgh, *January 5, 1694.*

To the Master of STAIR, Lord Secretary.

Right Honourable,

“ **W**E likewise intreat your Lord-
 “ ship to represent to His Ma-
 “ jesty, That *Bailie Brand* did very
 “ frankly offer for his Rents in *Orkney*,
 “ and did raise them very considerably.
 “ We told him at the Time, we could,
 “ not give him Assurance of his being
 “ Steward, in regard another had a Com-
 “ mission from His Majesty for it : But
 “ we undertook humbly to move His
 “ Majesty for it, and to Represent, That
 “ all who had been Taxmen of His
 “ Majesty’s Rents, had always the Ju-
 “ risdiction, it being indeed, absolutely
 “ necessary for bringing in these Rents.
 “ Therefore we likewise desire your Lord-
 “ ship may interpose with His Majesty
 “ for that End.

We are your Lordships

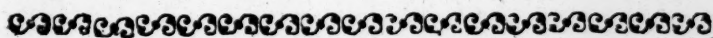
most humble Servants.

Sic Subscribitur,

Tweedale Cancel. Linlithgow, Raith.

A

A Man is to be judg'd by his Works, therefore I shall not give any Character of the Bishop's Favourite Mr. *Elphinston*, only think 'twill be worth while to give you his own Letter, the Original was shewn to the King by Duke *Hamilton*, and the Master of *Stair*, Secretary of State, and now is kept in the Duke's *Charter-Box*.



Kirkwall, *December 18, 1693.*

S I R,

THERE is none in all *London* that I have more Confidence in as your self. I am here at a great Distance from the Court, and cannot know in a short Time how State Affairs Rule; the Gain is of a considerable Value, we have all our Stocks therein, but particularly, the Interest of Religion is, and should be in the Heads and Hearts of all honest Men. I have only my dark Notions and Apprehensions of Affairs, partly what I have learn'd out of GOD's holy Word, my Experience that Way, and enquiring in the

Sanctuary of the LORD, besides, that he has a fixed Interest in these Nations, and a Relation to us by solemn Covenant. It should seem unto this End, the holy LORD had a mind to prosecute this Design, of a nearer Union with himself, notwithstanding of what seeming Departures he has made to leave us for ever. *2dly.* When I consider how contrary the Ends and Designs of Men are, in Opposition to the Holy GOD, and how the present Establishment of this Government seems to me to be like disjointed Members in a Man's Body, who can neither sit, stand, or lye, or be of any long Continuance. *3dly.* When I consider, That when GOD does any great Thing in the World for himself, he stirs up in the People, whom he has Mind to make Use of for himself, a singular Spirit of Courage and Council, directly in Opposition to their Enemies. God is surely looking for some other Thing from our Hands, than we should after all the great Work he hath done to us, that we should again seek, or desire to go into the Land of Bondage, for to bow to these Idols, which our Fore-fathers refused, upon Hazard of their Lives.

Lives, and did suffer upon the same Head : As likewise many of our Selves, who has with Confidence and holy Boldness, rather have chosen to suffer the Loss of our Temporal Interest, than that our Testimony should be wanting to Posterity, should our Faith be weaker now than it was these Thirty, Forty Years by-gone, especially after solemn Act of the Power of GOD on our Behalf, which is a sufficient Testimony of the Power and Faithfulness of GOD, though but in Part to his People in three Kingdoms. From all which I conclude, that the LORD will cast us yet again in the Furnace that we may make some better Frame. And O! that it might be his blessed Will to settle both us, and our King upon the Foundation of Truth and Righteousness, that we may no more joyn our selves with the Men of these Abominations, who are diametrically in Opposition to GOD, the King, and the best of his Subjects, which, if not prevented very suddenly, we cannot expect, but be swallowed up of them.

I'll give you a short Account of what has befallen me in the Islands of *Orkney*: These Islands are of Moment to the Enemy, because of its Situation, being well accommodated with Harbours of all Sorts for Ships, and are able to raise 5000 Men, who, with the County of *Kaithness* that upon the fast Land, where they are mostly *Jacobites*; and only a Ferry betwixt us and them, they are able to make up a good Number to invade the North of *Scotland*. I am inform'd, that there has been several Times Emissaries sent over for this End, when *Montrose* invaded *Scotland*, this was the Method he took.

A little before King *William's* Return, There came over a Gentleman to the Country, who is Brother-in-Law to one *Bailie Brand*, to whom, contrary to the King's express Will and Mind, Duke *Hamilton* did give the Farm of this Country, thinking to get him in Possession likewise of the *Jusficiary*, a Man sufficiently known to be no Friend of this Government; I say, the Person aforesaid coming over to settle his

his Brother-in-Law his Affairs in this Country, brought with him such News as King William being lost, King James's Return, or being called Home by the Nobility of England, That all the Gentlemen of this Country, after their Feasting and Caballings, began to declare themselves for the other King, and with them so many of the Curates : They adventured to tell me, sitting in Judgement, That they hoped to see a Change shortly, and to say, We might see what an evil Thing it was, in my Presence, to shake off their lawful King. This was done a few Days before a general Meeting, which we yearly have in this Country. The Magistrates themselves opposed me, to wit, one the Provost of the Town of *Kirkwall*, and one certain Gentleman, one of the King's Life-Guard Men, call'd Mr. *Lamb*, who was sent over with a Party of the King's Dragoons to quarter for Supply, was in the *Interim* going up and down the Town of *Kirkwall* drinking King *James's* good Health, and beating all such who would not do the same. This Combination seemed so formidable, that I began to apprehend the Danger, that my Person, and the

the King's Government was in ; where-upon I resolved before the Meeting, a Day, to send out a certain Number of the King's Officers, without the Knowledge of the Town of *Kirkwall*, and to charge all the Commonality in the nearest adjacent Parishes to be at the King's House with their Arms for Defence of me, and the Government, which was wonderfully, and with all Alacrity accepted of by them. The next Morning I had five hundred of them at the King's House, armed with their long Syths, Guns, and Swords ; and so I was convey'd to the Place of Judgement ; but all the Way they went surrounding me upon the Streets, they cry'd out, *GOD save King William, and our Judge ; What shall we do, Sir ? Command, and it shall be done.* Never were the Commonality of *Orkney* so much affected to any King. It is easy to be perceived, however disaffected the Nobility and Gentry are in many Places, yet amongst the Commons in *Scotland* there is an extraordinary Spirit. Upon this sudden Surprisal, all the *Jacobites* were exceedingly confounded ; so that I caused seize the Persons of some who
had

had most offended, and having given the 500 Men in the King's House some Barrels of good Ale, with the best Musick we could have, and firing of Guns, they were dismissed with great Joy to their respective Parishes: But GOD be blessed, since that Time we have the good News of King *William's* Return. I have been so particular in this Letter, that you may make your own Improvement thereof, which would exceedingly oblige me your Friend, if you would cause send a Copy or two thereof to the Coffee House in *Kingstoun*, which will readily fall in the Hands of some of my known Friends. If the Laird of be at Court, ye may tell him how much I have been wronged by Duke *Hamilton*; and if no Course shall be taken for my Establishment, the King's Interest is lost, and I in the Hands of cruel Enemies. This is all at present from.

SIR,

To Mr. George Reid-
path, to be left at
St. Alban's Coffee-
house, Pell-mell.

Your most humble

Servant,

ROB. ELPHINSTON.

D

You

You may likewise see how King *William* relish'd it; and by the Dates, that *Sir Alexander Brand's* Commission pass'd soon: When you consider there is a Distance of above 500 Miles betwixt *London* and *Kirkwall*, besides the delay of Ferries, where a Man may sometimes wait three Weeks for Passage.

Sir Alexander Brand has made Oath, That he was present with the Master of *Stair* when *Mr. Reidpath* deliver'd the Principal Letter above-represented to his Lordship; and after his Lordship had read the same, delivered it to Duke *Hamilton*, who immediately went to the King, and got a Commission for *Baillie Brand*, under the Great Seal, to be Steward and Justiciar of *Orkney* and *Zetland*, in the Place of *Robert Elphinston* of *Lapness*, dated the 28th of February, 1694.

But still the Bishop has not done with *Mr. Brand*: For he having most zealously engag'd himself in the King and Governments Service, as he was a Merchant, laid out most of his Substance, by Direction

rection of the King and Council, on Arms, &c. which were deliver'd in to the King's Store-Houses, yet never was paid or allowed for them ; because he had the ill Fate, that a Party prevail'd so, that Articles clearly vouch'd were disallowed, and he was distress'd for Sums actually twice paid.

The Hardships he met with, are express'd in Mr. *Brand's* Appeal under this Title, *August 27, 1707.* “ The Particulars which the Committee of three
 “ in the Treasury, *viz.* Earl of *Glasgow*,
 “ Deputy Treasurer, Earl of *Cromarty*,
 “ and Sir *Alexander Ogilvie* of *Forglen*,
 “ Lord of the Session, disallowed, without giving any Reasons for the same ;
 “ tho' required by the Court of *Exchequer* to report their Opinion on each
 “ Article, (which Disallowance was within few Days after, and, in the Appellant's Absence, confirm'd by the Court
 “ of *Exchequer*, without examining the Grounds thereof, and contrary to the
 “ Judgment of the Earl of *Seafeld*, (then Lord Chancellor) were as follows, *viz.*

As in this Appeal there is a great Sum due to Sir *Alexander Brand* : It was brought in before the House of Lords, on the 28th March, 1710, and Bishop *Burnet* was the only Prelate who spoke against him (bitterly) in the justest Claim Man can have. So he thought proper to let it lye dormant, till some Years after, that he presented a Petition drawn by Sir *Joseph Jekell*, to be approv'd of by his Grace the Duke of *Montrose* ; who waited a fit Opportunity to lay it before the King. The Duke's private Affairs intervening, Sir *Alexander* gave his Petition to the late Earl *Stanhope*, Secretary of State : who in a few days got his Majesty's Reference on it, to the Barons of Exchequer of *Scotland*. And now his Grace the Duke of *Roxbrough* has been pleas'd to get His Majesty's Reference of their Report, on the other Papers, to the Right Honourable the Lords Commissioners of the Treasury, Who are to Consider thereof, and Report their Opinion, what His Majesty may fitly do therein. Whereupon His Majesty will declare his further Pleasure. Dated *Whitehall*, January 14th, 1723-4. Such
generous

generous Inclinations these three Noble Lords had to move His Majesty for the Relief of a suffering Subject, that they merit the Esteem of all the World.

I leave you to Judge of Dr. *Burnet's* Meekness and Equity : In not only Abandoning, but Persecuting to his last : A Gentleman, his former Acquaintance, deeply and zealously imbark'd in the same Interest : For no other Reason, but carrying Letters from a Nobleman to his Son, who was in the strickest manner of the same Party. Unless his Resentment continued because Mr. *Brand* made himself necessary by carrying frequent Letters from my Lord *Tarbet*, to the late Duke of *Leeds*; which being in Cyphers could not be intrusted to any other Messenger : Or that there was a Gum betwixt the Families of *Hamilton* and *Queensberry*.

The World may judge if it was the Bishop's real Affection to the Prince, his Benefactor, that he continued a Spleen against Sir *Alexander Brand*; or if he thought Sir *Alexander* had no Friendship
for

for the Family of *Hamilton*. But Sir *Alexander* not only furnish'd Lord *Archibald Hamilton* with Provisions, but other Men of War. Instances are here vouch'd by the following Certificate, and two Bills, from two Principal Gentlemen in *Orkney*, and four of the *Presbyterian* Ministers.

WE under Subscribers do testify and declare, That, during the three Years, *Alexander Brand* had his Majesty's Commission to be Steward and and Justiciary of *Orkney* and *Zealand*. He carried himself very discreetly, both to the Gentlemen and Tenants of the Country, and also was diligent in any Thing that concern'd the King's Interest; especially in supplying his Majesty's Ships of War, when they were in the Country, with Pilots, and complemented the Captains with fresh Provisions, upon his own proper Charge: And the most remarkable Thing he did was, when Captain *Elwes*, who commanded the *Swiftsure*, a Ship of 70 Guns, had lost her main Mast and Rigging, upon the *Dogger Bank*, and was driven to *Hamsound* near

near the Isle of *Burra*. Upon the Captain's Application to him, he immediately furnish'd the Captain with a new Mast and other Necessaries, and Money ; so that if he had not done this, the Captain must have stay'd the Return of an Express to the Admiralty of *England*, which would have cost the King considerable ; for the Captain lay at the Rate of Fifty Pounds Sterling a Day. In Testimony of the Truth of this, we have subscribed these Presents at *Kirkwall*, Aug. 22, 1698.

A. Keith, Minister.

Ja. Grahame, Minister.

Alex. Burnet, Minister.

Pa. Guthwaie, Minister.

Arch. Stuart,

Will. Douglass.



Kirkwall in Orkney, O^r. 17. 1696!
A Bill of Ex. 88l. 10s. 0d.

Right Honourable,

TEn days after Sight of this my second
 Bill of *Exchange*, First and Third
 not paid, pray pay unto Mr. *Axleander*
Brand of *Edinburgh*, or his Order, the
 Sum of Fourscore Pounds *Sterling*, Re-
 ceiv'd from him here, and Eight Pounds
 and Ten Shillings, being after the Rate
 of Thirteen *per Cent. Exchange*, as usual
 from hence to *London*, for bringing
 Masts, Yards, Boats, &c. for the Use
 and Supply of His Majesty's Ship *Swift-*
sure, which shall be Accompted for with
 your Honours at the arrival of

Right Honourable,

To the Right Ho-
 nourable the Prin-
 ciple Officers and
 Commissioners of
 His Majesty's Na-
 vey.

Your Obedient

Servant,

GER. ELWES.

Orkney

Kirkwal in Orkney, Sept. 26. 1696.
A Bill of Ex. for 113 l. 00 l. 00 d.

Honoured Sirs,

TEN Days after Sight of this
 my third Bill of *Exchange*, First
 and Second not paid, pray Pay un-
 to Mr. *Alexander Brand* Steward of
Orkneys, or his Order the Sum of One
 Hundred and Thirteen Pounds *Sterling*,
 Received from him here, and the Thirteen
 Pound being allowed him after the Rate
 of so much *Exchange*, as usual from
 hence to *London*, for buying Provisions
 for the Use and Supply of His Majesty's
 Ship the *Woolwich*, which shall be Ac-
 counted for with your Honours at the
 Return of

Your Honours

umble Servant,

To the Honourable
 Commissioners of
 his Majesty's Na-
 vy, at their Of-
 fice on *Tower-*
Hill.

ROB. GRIFFYTH.

E

You see the Injustice of Mr. *Elphinston*, whom Bishop *Burnet* patronised, in giving Mr. *Brand* the Character of a Person disaffected, and the Equity of the Bishop, in countenancing a Man guilty of a notorious Falshood.

Having given this Specimen of the Conduct of this Rt. Rev. Prelate, in the particular Case specified above, I cannot close the Account of it without doing some Justice to the injured Memory of two very worthy Men, who were cruelly murder'd in the Bishop's Times, as he calls them : The first is, That noble and most excellent Person the late Earl of *Argyle*; I say, *Injur'd*, because the Account the Bishop has given of the said Earl, is, in many Things, very unworthy the just Character of that noble Lord, at least he maliciously omits what Justice requir'd him to have said of him, whose Sufferings began in his most zealous vindicating the Liberties of his Country, and the Privileges of the Parliament; the very same Cause which the Prince of ORANGE, *only with better Success*, afterwards appear'd, and in which

which the Bishop (then Dr. *Burnet*) joyn'd with him.

With what Meanness, with what Injustice, nay, with what Indecency does he treat that noble Person? And, which is worse, does neither fully or truly relate his Behaviour, either living or dying: But as in other Cases, so in this, the taking Things by *hear say*, and *report* at second, third, or fourth Hand, gives rather his own prejudic'd Opinion, than a true History of it all.

This Sir *Alexander Brand* thinks himself bound to detect and expose, as well in Justice to Truth, as to the Memory of the late Earl of *Argyle*, who he had not only the Honour to be intimately known by, and to have a great Value for, but had the Misfortune, by Vertue of his Office, (being then Sheriff of *Edinburgh*) to be present with him in his Sufferings, and at the Place of Execution; and is therefore able to testify the Truth of many Things, which the Bishop either never knew, or is pleased to omit.

To say the Earl was *not fit for the Work he undertook*, is spoken with the more Injustice, by how much it really was not true ; and it is with some just Reproach to the History, and to the Historian also, that it may be said he was either ignorant in what he pretended to know, or silent in what he really did know, and both to the Prejudice of the Person whose Story he writes.

In the Transaction about the TEST, he is far from giving a just Acknowledgment to the *noble Stand*, which the Earl made, against the Flood of Tyranny, which was then just breaking in upon his Country ; how he did it at the hazard of his Life, and how near he was to losing his Life on that Occasion.

The Story of his Escape he omits wholly, and the Reason, and Occasion of it, he gives a quite remote Account of both, *false and feigned* : That the Court juggl'd in the manner he describes, *has really nothing in it* ; the Court was at that Time barefaced and resolute, and the
King

King sign'd the Warrant for Execution openly, rejecting all Intercession; and instead of its being whisper'd to the Earl, by a certain Lord, as the Bishop relates, *who the Earl would not Name*, That is all a Chimera; I do not say of the Bishops, but if not his, of his Informers, and is a flagrant Testimony that he has indeed written this History upon *hear say*: For the Truth of the Story is Thus, (*viz.*)

Sir Gilbert Elliot of Minto, afterwards made one of the Civil Judges, or *Session*, and therefore stil'd Lord Minto, being a particular Friend to the Earl of Argyle, and sensible of the Danger he was in, resolved to go up Express to Court, as well to Sollicite a Reprieve, if possible to be obtain'd, as to let the Earl have a true State of his Case, and a right Knowledge of what was to be depended upon, accordingly he apply'd to such Persons at *Whitehall* as he knew would not Deceive him, but had the Mortification soon to find, that all Intercession was to no purpose; however, he resolved to see the utmost of it, which indeed he did, for he stay'd at the Door of
the

the Council-Chamber till a certain Lord came out, and assured him that the Warrant for his Execution was Sign'd and would be sent away that Afternoon; Then seeing all was over, and the Sacrifice resolv'd on, he took Horse immediately, and out riding the Express by several Hours; gave the Earl Notice of his Danger time enough to Concert his Escape; which was exquisitely manag'd a few Hours before the Sheriff came to Demand him for Execution; nor does the Bishop think fit to recite the Memorable Action of the Earl's Escape, which was perform'd so well, his Lordship being Dress'd up in the Cloaths of his Daughter's Page, and attending the Lady, held up her Train as she went on Foot out at the Castle Gate, to her Chair, and then walking before her Chair into the City, and so got into *England*.

When his Lordship came to the unhappy End of his Life, some Years after this, many Circumstances Merit to be Recorded, which the Bishop has either Purposely, or Ignorantly omitted, and which add a Brightness to the Character
of

of the Earl, which the Bishop, if we may judge by the rest of his Account had rather should have been conceal'd than known.

Sir *Alexander Brand* being, as above, unhappily oblig'd to perform the Office of the Sheriff on that melancholly Occasion, and to attend the Execution on a Life, which have would hazarded his own to save, is thereby enabl'd to give a particular Account of it, which the Bishop has not done; and takes this Occasion to Correct, or at least amend the Bishop's Account. On the Day appointed for the Execution, Dr. *Annan* the Dean of *Endinburgh* (not Mr. *Charteris*, as the Bishop has observ'd) attended the Earl from the Castle, Sir *Alexander Brand* being Sheriff attended with a Party of the Town Guard went with a Coach to the Castle-Gate. The Dean being in the Coach to demand the Prisoner; the Officer, who had the Guard gave for Answer, that the Earl was asleep, and desir'd he might not be waken'd till his usual Time. So they waited at the Gate near an Hour, when the Earl came down with
great

great Chearfulness went directly into the Coach, and seeing the Dean, desir'd he would begin some good Discourse on the Occasion which he did, and which the Earl seem'd very well pleas'd with.

From thence they went to the Council House of *Edinburgh*, a Room ordinary appointed on such Occasions ; and where was a great many Noble Men, and Persons of Quality attending to take their Leave of him, Sir *Alexander Brand* conducted him in : But the Dean was dismiss'd, and did not go into the Room with him, nor to the Scaffold.

Here it was, that a certain Lady came and knock'd at the Door, and demanded to speak with the Earl ; who, after some Talk with her, which seem'd uneasy to him, call'd to Sir *George Mackenzie*, then Lord Advocate, and ask'd him if he would lend him threescore Guineas ; which Sir *George* readily did, and the Earl gave them to the Lady, and then she took her Leave : This was the Lady *Bellcarras* by Name : What the Occasion was of that Visit, was not then known.

How-

However the Earl compos'd himself again, and turning to the Gentlemen about him, he pull'd out a Paper, and spoke thus. Gentlemen, I have but a low Voice, and there is like to be a great Crowd in the Street, wherefore I think it more proper, to Deliver my self in this Place, if you will please to hear in a few Words, which I have to say ; and with that he began to read his Paper, which began thus ; *Man that is born of a Woman has but a short time to live, and is full of Trouble* ; and I am an eminent Instance of this Truth.---- Then he went on in a Manner so to the Purpose, and so Moving, as brought Tears from the Eyes of many that heard him, and the Paper being ended, he Saluted his Friends, and walk'd on Foot to the Scaffold ; Sir *Alexander Brand* also attended him, and was a Witness to his Behaviour, which had an equal Mixture, both of the Christian and the Heroe : All this Part the Bishop has omitted, and the kindest Thing that can be said of him in it, is, That as he knew nothing a-

F

bout

bout it, but by Hearsay, so those that Reported those Things to him, know no more than what was common, and known to every body in the Street.

✍ N. B. In a short Time the Second Part will be publish'd.

F I N I S.

